

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/795,958	03/08/2004	Gary Marshik	BSI-035

021323  
TESTA, HURWITZ & THIBEAULT, LLP  
HIGH STREET TOWER  
125 HIGH STREET  
BOSTON, MA 02110

CONFIRMATION NO. 8611

**FORMALITIES LETTER**



\*OC000000012788037\*

Date Mailed: 05/27/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$212** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1112** for a Large Entity

08/05/2004 FFANAI2 00000015 10795958

02 FC:1001	770.00 OP
03 FC:1051	130.00 OP
04 FC:1201	86.00 OP
05 FC:1202	126.00 OP

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

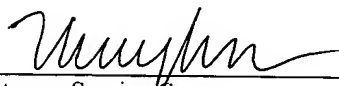
- Total additional claim fee(s) for this application is **\$212**

- \$86 for 1 independent claims over 3.
- \$126 for 7 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



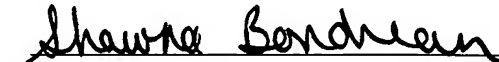
PATENT  
Attorney Docket No. BSI-035  
(354/72)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Marshik et al. CONFIRMATION NO.: 8611  
APPLICATION NO.: 10/795,958 GROUP NO.: 3634  
FILING DATE: March 8, 2004 EXAMINER: Not yet assigned  
TITLE: Hardware for Window Sashes

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the 3<sup>rd</sup> day of August, 2004.

  
Shawna Boudreau

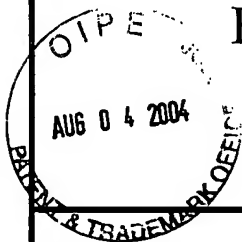
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Alexandria, VA 22313-1450

Submitted herewith are:

1. Transmittal Form (1 pg.);
2. Fee Transmittal (1 pg.);
3. Transmittal of Formal Drawings (1 pg.);
4. Formal Drawings (4 pgs.);
5. Declaration and Power of Attorney (4 pgs.);
6. Patent Practitioners of Record Under 37 C.F.R. § 1.32(c)(3) (1 pg.);
7. Supplemental Application Data Sheet (3 pgs.);
8. Check in the Amount of \$1222.00;
9. Copy of Notice to File Missing Parts of Nonprovisional Application (2 pgs.);
10. Petition for Extension of Time Under 37 C.F.R. 1.136(a) (1 pg.); and
11. Return receipt postcard.

3100914

# TRANSMITTAL FORM



Application Serial Number	10/795,958
Filing Date	March 8, 2004
First Named Inventor	Marshik
Group Art Unit	3634
Examiner Name	Not yet assigned
Attorney Docket No.	BSI-035
BATCH NO. (after allowance)	Not applicable
Patent No.	Not applicable
Issue Date	Not applicable

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form  <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]  <input checked="" type="checkbox"/> Petition for Extension of Time  <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input checked="" type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553)  <input checked="" type="checkbox"/> Formal Drawings (4 pages)  <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal  <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)  <input type="checkbox"/> Terminal Disclaimer  <input checked="" type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application  <input type="checkbox"/> Small Entity Statement  <input type="checkbox"/> CD(s) for large table or computer program  <input type="checkbox"/> Amendment After Allowance  <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences  <input type="checkbox"/> Appeal Brief (in triplicate)  <input type="checkbox"/> Status Inquiry  <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8  <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8  <input checked="" type="checkbox"/> Additional Enclosure (please identify below) <input checked="" type="checkbox"/> Transmittal of Formal Drawings (1 pg.)  <input checked="" type="checkbox"/> Supplemental Application Data Sheet (3 pgs.) <input checked="" type="checkbox"/> Patent Practitioners of Record Under 37 CFR § 1.32(c)(3) (1 pg.)
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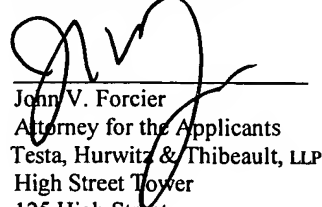
## CORRESPONDENCE ADDRESS

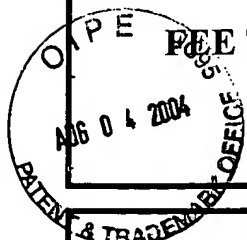
Direct all correspondence to: Patent Administrator  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110  
 Tel. No.: (617) 248-7000  
 Fax No.: (617) 248-7100

## SIGNATURE BLOCK

Date: August 2, 2004  
 Reg. No. 42,545  
 Tel. No. (617) 248-7675  
 Fax No. (617) 248-7100

Respectfully submitted,

  
 John V. Forcier  
 Attorney for the Applicants  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110



**FEE TRANSMITTAL**  
**FY 2004**

*Complete if Known*

Application Serial Number	10/795,958
Filing Date	March 8, 2004
First Named Inventor	Marshik
Group Art Unit	3634
Examiner Name	Not Assigned
Attorney Docket No.	BSI-035

**METHOD OF PAYMENT**

1. ☒ Payment Enclosed:  
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.  
☐ Required Fees (copy of this sheet enclosed).  
☒ Additional fee required under 37 CFR 1.16 and 1.17.  
☒ Overpayment Credit.
3. ☐ Applicant claims small entity status.

**FEE CALCULATION**

**1. FILING FEE**

**Large Entity**

Fee (\$)	Fee Description	Fee Paid
770	Utility filing fee	770.00
340	Design filing fee	
160	Provisional filing fee	

	Number Filed	Number Extra	Rate	Amount
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Total Claims 27 - 20 = 7 x \$ 18.00 = 126.00

Independent Claims 4 - 3 = 1 x \$ 86.00 = 86.00

☐ Multiple Dependent Claim(s), if any \$290.00 =

**TOTAL: 982.00**

**SMALL ENTITY DISCOUNT:**

**SUBTOTAL (1) (\$ 982.00)**

**2. AMENDMENT CLAIM FEES**

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
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Total - = x \$ 18.00 =

Indep. - = x \$ 86.00 =

☐ First Presentation of Multiple Dep. Claim + \$290.00 =

**TOTAL: (\$)**

**SMALL ENTITY DISCOUNT: (\$)**

**SUBTOTAL (2) (\$ 0.00)**

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	130.00
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
110	55	Extension for reply within first month	110.00
420	210	Extension for reply within second month	
950	475	Extension for reply within third month	
1480	740	Extension for reply within fourth month	
2010	1005	Extension for reply within fifth month	
330	165	Notice of Appeal	
330	165	Filing a brief in support of an appeal	
290	145	Request for oral hearing	
130	130	Petitions to the Commissioner	
180	180	Submission of Information Disclosure Statement	
770	385	Filing a submission after final rejection (37 CFR 1.129(a))	
770	385	For each additional invention to be Examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for Applicant's error	
110	55	Submission of Terminal Disclaimer	
Other fee (Specify)			
Other fee (Specify)			

**SUBTOTAL (3) (\$ 240.00)**

**SUBTOTAL (1) 982.00**

**SUBTOTAL (2) 0.00**

**SUBTOTAL (3) 240.00**

**TOTAL (\$ 1222.00)**

**CORRESPONDENCE ADDRESS**

Direct all correspondence to:

Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower-125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

**SIGNATURE BLOCK**

Date: August 2, 2004  
Reg. No. 42,545  
Tel. No.: (617) 248-7675  
Fax No.: (617) 248-7100

Respectfully submitted,  
  
John V. Forcier  
Attorney for the Applicants  
Testa, Hurwitz & Thibault, LLP  
125 High Street  
Boston, MA 02110



**PATENT**  
Attorney Docket No. BSI-035  
(354/72)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Marshik et al. CONFIRMATION NO. 8611  
APPLICATION NO.: 10/795,958 GROUP NO.: 3634  
FILING DATE: March 8, 2004 EXAMINER: Not yet assigned  
TITLE: Hardware for Window Sashes

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Commissioner for Patents  
P.O. Box 1450  
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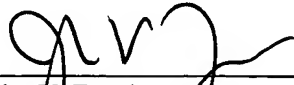
**TRANSMITTAL OF FORMAL DRAWINGS**

Attached please find the formal drawings for this application - Number of Sheets - 4.

Respectfully submitted,

Date: August 2, 2004  
Reg. No. 42,545

Tel. No.: (617) 248-7675  
Fax No.: (617) 248-7100

  
\_\_\_\_\_  
John V. Forcier  
Attorney for the Applicants  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110

3100931



PATENT  
Attorney Docket No. BSI-035  
(354/72)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Marshik et al. CONFIRMATION NO.: 8611  
SERIAL NO.: 10/795,958 GROUP NO.: 3634  
FILING DATE: March 8, 2004 EXAMINER: Not yet assigned  
TITLE: Hardware for Window Sashes

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PATENT PRACTITIONERS OF RECORD UNDER 37 C.F.R. § 1.32(c)(3)**

Dear Sir:

Under 37 C.F.R. § 1.32 (c)(3), the following patent practitioners listed on the concurrently submitted Declaration and Power of Attorney For Utility or Design Patent Application should be recognized by the U.S. Patent and Trademark Office as being of record in the above-identified patent application to which the power of attorney is directed.

1.	John V. Forcier	Registration No.	# 42,545
2.	Christopher W. Stamos	Registration No.	# 35,370
3.	Mark L. Beloborodov	Registration No.	# 50,773
4.	Andrew L. Jagenow	Registration No.	# 51,842
5.	Thomas A. Turano	Registration No.	# 35,722
6.	Brian M. Gaff	Registration No.	# 44,691
7.	James C. De Vellis	Registration No.	# 52,814
8.	John J. Cotter	Registration No.	# 38,116
9.	Doug J. Kline	Registration No.	# 35,574
10.	William A. Meunier	Registration No.	# 41,193

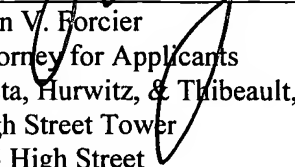
The Patent Office is requested to contact the undersigned with any questions.

Respectfully submitted,

Date: August 2, 2004  
Reg. No. 42,545

Tel. No.: (617) 248-7675  
Fax No.: (617) 248-7100

3100939

  
\_\_\_\_\_  
John V. Forcier  
Attorney for Applicants  
Testa, Hurwitz, & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110